

requires that measures to assure seismic safety be imposed on federally assisted new building construction.

(b) This subpart identifies acceptable seismic standards which must be employed in new building construction funded by loans, grants, or guarantees made by the Rural Utilities Service (RUS) or the Rural Telephone Bank (RTB) (or through lien accommodations or subordinations approved by RUS or RTB).

[58 FR 32437, June 10, 1993, as amended at 65 FR 76916, Dec. 8, 2000]

§ 1792.102 Definitions.

As used in this subpart, the following terms have the following meaning:

Administrator—Administrator of RUS or the Governor of the Rural Telephone Bank or his or her designee.

Borrower—An entity which borrows or seeks to borrow money from, or arranges financing with the assistance of RUS through guarantees, lien accommodations or lien subordinations.

Building—Any structure, fully or partially enclosed, used or intended for sheltering persons or property.

Federally assisted—The provision of financing assistance by RUS through loans, loan guarantees, grants, and lien accommodations and subordinations.

Grant recipient—Any entity which receives a grant from RUS.

Lien accommodation—The consensual sharing of the government's (RUS's) lien on property or the release of government's lien on property.

Lien subordination—Agreement that the government's (RUS) lien on property will rank below the lien of another entity.

Model Code—A building code developed for the adoption of local or state authorities or to be used as the basis of a local or state building code.

NEHRP—National Earthquake Hazards Reduction Program.

Registered—A person licensed by the State(s) or Authority(ies) to perform architectural or engineering services in the State(s) where construction occurs.

RUS—Rural Utilities Service, and for the purposes of this subpart, shall include the Rural Telephone Bank. For the purposes of RTB borrowers, as used in this subpart, RUS means RTB and Administrator means Governor.

Seismic—Related to or caused by earthquakes.

Seismic factor—The factor used in design based on the seismic zone ($Z = .4, .3, .2$, etc.) or based on acceleration (A_v or A_a , whichever controls) for the location of the building, and given on the seismic maps in the model codes.

State—Each of the 50 States of the United States, the District of Columbia, and territories and possessions of the United States which are authorized to receive loans, loan guarantees, or grants from RUS.

[58 FR 32437, June 10, 1993, as amended at 59 FR 66440, Dec. 27, 1994; 65 FR 76916, Dec. 8, 2000]

§ 1792.103 Seismic design and construction standards for new buildings.

(a) In the design and construction of federally assisted buildings, the borrowers and grant recipients must utilize the seismic provisions of the most recent edition of those standards and practices that are substantially equivalent to or exceed the seismic safety level in the most recent or immediately preceding edition of the NEHRP Recommended Provisions for the Development of Seismic Regulation for New Buildings.

(b) Each of the following model codes or standards has been found to provide a level of seismic safety substantially equivalent to that provided by the use of the 1994 NEHRP Recommended Provisions and appropriate for federally assisted new building construction:

(1) 1997 International Conference of Building Officials (ICBO) Uniform Building Code. Copies are available from ICBO, Austin Regional Office, 9300 Jollyville Road, Suite 101, Austin, Texas 78759-7455.

(2) 1995 American Society of Civil Engineers (ASCE) 7, *Minimum Design Loads for Buildings and Other Structures*. Copies are available from ASCE, 345 East 47th Street, New York, New York 10017-2398.

(c) The NEHRP Recommended Provisions for the Development of Seismic Regulations for New Buildings is available from the Office of Earthquakes

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and Natural Hazards, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

[65 FR 76916, Dec. 8, 2000]

§ 1792.104 Seismic acknowledgments.

For each applicable building, borrowers and grant recipients must provide RUS a written acknowledgment from a registered architect or engineer responsible for the design stating that seismic provisions pursuant to § 1792.103(b) will be used in the design of the building. This acknowledgment will include the identification and date of the model code or standard that is used for the seismic design of the seismic design of the building project and the seismic factor for the building location.

[65 FR 76916, Dec. 8, 2000]

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AUTHORITY: 7 U.S.C. 6941 *et seq.*, 42 U.S.C. 4321 *et seq.*; 40 CFR Parts 1500–1508.

SOURCE: 63 FR 68655, Dec. 11, 1998, unless otherwise noted.

Subpart A—General

§ 1794.1 Purpose.

(a) This part contains the policies and procedures of the Rural Utilities